

HALL AND HERMANN CASES ARE HENEY'S

Government Prosecutor Plans to Handle Them Before Jury in Person.

OTHERS LEFT TO BRISTOL

Or to Present United States Attorney's Successor, if Change in Office Cannot Be Blocked—All Are Set for January 13.

Francis J. Heney expects to prosecute John H. Hall, then Binger Hermann, and other land-fraud defendants in the Oregon District Attorney's office who will continue to be W. C. Bristol, if the tangle in Washington is in a condition to be unraveled by Heney. The day set by Judge Wolverton yesterday for beginning the trials is January 13. This will give Heney about three weeks in Portland, possibly longer. After the trials of Hall and Hermann, he will return to San Francisco in February, to resume the trial of Calhoun.

Heney will start for Washington this morning and will then go to Tucson, Ariz., to try a civil case set for January 17. He will then return to Washington to Washington had nothing to do with the Bristol matter, but did not deny that he would look into it and straighten it out, if possible, in the next few days. When Senator Fulton was fighting confirmation of Bristol's nomination and the President had withdrawn the nomination.

Heney Is Noncommittal.

But Heney was wholly non-committal on the Bristol matter. He declined to talk to the press to ascertain the trouble in Washington before deciding what to do. The difficulty has come from misunderstanding and has been compounded by Bristol's factious correspondence with the Department of Justice. The misunderstanding has grown out of ignorance of the causes of the delay in the land-fraud trials and the seeming responsibility of Bristol for the delay, when, as a matter of fact, Heney's engagements in San Francisco have held back the prosecutions.

Heney's reasons for taking charge of the Hall prosecution himself are, as he expressed them last night, that his personal knowledge of details in Hall's alleged attempts to shield Hermann and other persons from exposure and prosecution fits him (Heney) for the task better than any other prosecutor; besides he wishes to prove to the President that the removal of Hall from the office of District Attorney of Oregon in 1906, on his advice, was necessary. His reason for retaining the prosecution of Hermann is that he regards Hermann "the biggest crook of them all," these words being Heney's own.

The Hall and the Hermann cases are closely entwined. As Heney alleges, Hall was engaged in a deal to prevent indictment of Ormsby, Sorenson and others, because their exposure would let the light in on Hermann. Hall was seeking the aid of Hermann for resolution and succeeded in bluffing Brownell out of the race, on threat of indictment that afterward came to Brownell.

Explains Long Delay.

Heney said last night that his graft prosecutions in San Francisco have absolutely prevented his presence in Oregon for the land-fraud trials for a year past. He devoted nearly all of the years 1904 and 1905 to the Oregon cases. In January, 1906, Rudolph Sprengle urged him to take up the case in San Francisco, but Heney put them off until November, 1906, first, because he was compelled to go to Washington to defeat the efforts of the land-fraud ring to oust Bristol, and next in July, because he wanted to finish up the Oregon prosecutions.

He was in Washington February and March, 1906, fighting Senator Fulton's efforts to dislodge Bristol. In April he was to prosecute Hermann in the letter-book case. But the San Francisco earthquake caused him to hurry to his family in that city. The Hermann trial in Washington went over, on condition that it should be held before the case in Portland set yesterday by Judge Wolverton for January.

Hermann was acquitted in Washington, says Heney. But Heney will not acquit in Portland. The trial, he says, will be a repetition of that which led to the conviction of F. P. Mays. The same witnesses, the same case, since Hermann was involved the same way in the famous Blue Mountain case.

Blocked by Defendants.

In July, 1906, Heney says he came to Portland to finish up the trials. But the defendants delayed the trials, chiefly by pretense of sickness, until in September, when he visited Portland. He then planned, and so informed the Department of Justice, to resume the Oregon trials in November. He estimated that two months in San Francisco would clear matters there as to release him for Oregon. The first trial of Ford ended early in October and the second practically ended on October 30.

Silent as to Fulton.

Heney would not discuss the report that he will come to Oregon to fight Senator Fulton in the Republican primaries, where Fulton will seek nomination for re-election. He remarked that he would like to come, but said neither that he would nor that he would not. Much depended on circumstances in California.

Lawyers Throng Court.

Long before 11 o'clock, the hour set for the hearing of the land-fraud motions, the Federal Court room was crowded with leading members of the bar. Mr. Heney was late in arriving, and before he put in an appearance all the seats were occupied and the legal lights who had arrived late had been ushered to the 12 jury chairs. Into these seats filed the attorneys, some of whom represented land-fraud clients, others were attracted to the courtroom by the hope of seeing a display of fireworks.

Eleven of them took seats in the jury box and for a time all interest in the cases at bar seems to have centered on the political complexion of the lawyers who occupied these seats of honor. Of the eleven, nine were dyed-in-the-wool Democrats and one in sweater attire, is now of questionable political faith, while the other was a Republican, pure and undefiled. Seated among these was John M. Geary, ex-United States Senator, who appeared for Binger Hermann.

If the curious had been attracted to the courtroom in the hope that John Hall would raise his voice in open court to demand an immediate trial, or if they expected that Mr. Heney would throw out some of the pending cases, or if they expected that "United States Attorney Bristol" would appear with Heney in the cases, they were disappointed. Nothing happened to give anybody a thrill. The proceedings were humdrum to the degree that a witness called a halt on the case on trial before him promptly at 11 o'clock. Then there was a pause. Mr. Hall occupied a conspicuous seat inside the counsel table, in close conversation, sat Judge Lionel Webster. Hall appeared at case, but beneath his calm exterior it was evident he was not happy. W. D. Benton was among the late arrivals and seated himself at the head of the lawyers' table.

During the wait for the arrival of Mr. Heney and T. E. Neuhausen, Special Inspector of the Interior Department, the courtroom became a babel of whispered conversation, punctured frequently by suppressed laughter.

Heney Comes in Late.

Suddenly the door opened. Mr. Heney, followed by Mr. Neuhausen with a bundle of papers under his arm, entered the room. After them came Dan J. Mackey, a well-known lawyer. The counsel table of the court hall smote the desk with a sounding thwack, and to the many present who had attended the trial of Senator Mitchell, the three Williamson trials and the hearing of other land-fraud defendants, there was a vivid reminder of similar scenes in the same courtroom. Judge Fulton held the trial. Heney had a look at him and showed his hands with the prosecutor, whispering words of greeting. Judge Wolverton inquired whether all of the defendants or their attorneys were present, and in a case where silence pleaded guilty. They were there.

Mr. Heney's smile was working well. It beamed as he entered the courtroom and it widened as he apologized to the court for being late; why he was tardy he did not explain. Briefly he stated that he was ready to have fixed the trial dates of the pending cases, and he named January 13 as agreeable to him, explaining that the 19 cases might all be set for this day, so that the trial of one case being another could be taken up.

Then Mr. Heney began calling off the cases as numbered. He called off case 2918 and Hall began to squirm. It was not his case, there was a pause. "Those who knew the Hall case by his number believed for a second or two that, after all, it would not be the first trial. There was another movement. Mr. Heney might, and again he might not have intended this as a thriller, but the corners of his mouth twitched roughly as he bent over and held a whispered conversation with Mr. Neuhausen.

Hall was straight up in his chair by this time but he relaxed when Heney said: "If your honor will be pleased to call the order and will ask your honor to set case No. 2911 first for trial."

This was the Hall case, called the Blue Mountain case, involving the Williamson cases, and the charge is conspiracy to fence public lands. The next case, 2915, set was that in which Binger Hermann and J. L. Williamson are charged with conspiracy. It is also known as the Blue Mountain Forest Reserve case.

To the newspaper man who sought Mr. Heney's opinion, he said he would announce that he would leave this morning for Washington. While he would not admit or deny that his visit to Washington is for the purpose of fighting the Bristol case, it is for this purpose that he is going to the Capital. That will confer with the President is also certain, and some interesting news probably will soon come from Washington.

Cases Set by Court.

The land fraud cases that will be taken up in order, for now:

- No. 2911. Conspiracy, section 2446, R. S. (Fencing Public Lands). John H. Hall, Wilcox W. Steiwer, H. H. Hendricks, Charles B. Zacher, A. Zachary, Charles A. Watson, Clyde E. Glass, Binger Hermann, Edwin Mays, Franklin P. Mays, Clark E. Lewis.
- No. 2918. Conspiracy (Blue Mountain Forest Reserve). Binger Hermann, J. N. Williamson.
- No. 2887. Conspiracy, Franklin Pierce Mays, Horace G. McKinley, S. A. D. Pater, Marie A. Emma, L. Watson, Dan W. Tapley, Robert Simpson, John Doe and Richard Roe.
- No. 2909. Perjury, William H. Davis.
- No. 2906. Subornation of perjury, George C. Brownell.
- No. 2907. Conspiracy, consolidated with 2909. Conspiracy, John H. Mitchell (deceased), Binger Hermann, Horace G. McKinley, Frank E. Kinney, Emma L. Watson, Dan W. Tapley, Elbert K. Brown, Mrs. Nellie Brown, Henry A. Young, Frank E. Kinney, Clark E. Lewis, Salmon Ormsby, George Sorenson, Charles E. Hayes, G. O. Nolan, John Doe and Richard Roe.
- No. 2942. Conspiracy, Robert A. Booth, James H. Booth, T. E. Singleton.
- No. 2937. Attempt to defeat due administration of justice, John H. Hall, Henry Ford, Harry L. Rees, A. P. Taylor, John Cordano, J. H. Hitchings, John Northrup, Charles F. Lord.
- No. 2940. Conspiracy, Frank E. Alley, Edward W. Doway, Stephen W. Turnell, A. H. Downay.
- No. 2944. Perjury, James Benson.
- No. 2984. Conspiracy, Claude Taylor, Clark E. Hadley, Morris Leach, Walter J. Smith (deceased), Thomas Coates, John Tuttle, Charles E. Hayes, G. O. Nolan, John Doe and Richard Roe.
- No. 2988. Conspiracy, (Siletz Indian Reservation), Herman E. Finch, Thaddeus S. Potter, Burt Flauvel, John Doe, Richard Roe.
- No. 2991. Conspiracy, (To intimidate witnesses), C. Sam Smith, Dr. Van Gesner.
- No. 2906. Conspiracy, Charles A. Graves, Ernest N. Wakefield, Gar. L. Parker, Robert B. Foster.
- No. 2907. Conspiracy, (Surveying tracts), Henry Melrum, George E. Wagoner, David W. Kinnard, Rufus G. Moore, John W. Hamaker (deceased).
- No. 2912. Conspiracy, (Surveying tracts), Henry Melrum, George E. Wagoner, David W. Kinnard, Rufus G. Moore, John W. Hamaker, George Sorenson, Livy Stipp.

Blue Laws for Cornell Singers.

NEW YORK, Dec. 17.—The members of the Cornell Glee, Banjo and Mandolin Club, during the Christmas tour, will be governed by the following schedule of fines and punishments:

Five dollars for failure to attend any reception given in honor of the Glee Club.

Three dollars and extra transportation for any member missing a train.

Five dollars for missing or being late at any concert.

Eight dollars for disturbing the peace of the private care between the hours of midnight and 5 A. M.

If any man loses his voice by carelessness or through any fault of his own, he shall return immediately to Ithaca at his own expense.

Taft Will Arrive Friday.

CAPE RACE, N. F., Dec. 17.—The steamer President Grant, from Hamburg for New York, having Secretary Taft on board, will reach New York Friday.

Speaks for the Plasterers.

"Under our contract with the master plasterers," said L. D. Reed, speaking for the striking plasterers last night, "we are required to give three months' notice of any request for an advance in wages and the new schedule, if granted, does not become effective until all pending contracts have been completed. But when the employer decides on a wage reduction they impose it without any notice whatever. We firmly believe that the recent depression in financial affairs was responsible for the reduction that has been announced. It looks like a proposition to squeeze a dollar a day out of the plasterer since the property owner will not get any benefit, being under a contract with the master plasterer. All of the contracts on which the plasterers have struck were assumed prior to the recent financial disturbance and all estimates for labor were computed on the prevailing wage schedule. For these reasons we contend that the plasterers are entitled to the wages they have been drawing until the improvement on which they have been employed is finished."

MANY CUTS ALREADY MADE

Leaders Assert That the Building Trades Contractors Are Striving to Rid Themselves of the Well-Paid Union Men.

Labor unions in this city are considerably within in the attitude of a few employers in proposing a reduction in wages together with the action of the iron manufacturing plants in introducing

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Members of the Plasterers' Union do not regard seriously the announcement that the contractors will import other workmen to take their places.

At labor headquarters it is rumored that reduction in wages is contemplated by employers in various other lines of work. Among the trades that report says will be affected are the waterfront industries, including the longshoremen, grainhandlers, freighthandlers, teamsters and stationary firemen.

OREGON CITY LOCKS BILL

Whether Passed Depends on Existence of River and Harbor Bill.

OREGONIAN NEWS BUREAU, Washington, Dec. 13.—Senator Fulton and Representative Hawley are jointly in-

OPINION ON THE NATIONAL RIVERS AND HARBOUR CONGRESS

The National Rivers and Harbors Congress of making a regular appropriation every year. The old policy of appropriating every two years prevails. The last river and harbor bill appropriated or authorized the expenditure of approximately \$30,000,000, or at the rate of \$30,000,000 a year. With that amount available for the coming year, it is doubtful if Congress would be willing to give an additional \$30,000,000, especially as election is approaching and the tendency is to hold down all appropriations. There is too much heavy pressure this winter for a general public-building bill, which would likely carry \$40,000,000 or \$50,000,000, and Congress never passes a public-building bill and river and harbor bill in the same session.

The Willamette locks proposition is in such shape as to appeal to Congress, for it is an exceptional instance, in which the state has met the General Government half way and offered to bear half the expense. In late years the house committee has favored projects of this type, and the tendency is to put such projects ahead of those where the entire expense falls upon the Federal Treasury. But a laborious bill for the locks of the Willamette Falls project special; it will have to wait until the next river and harbor bill is framed.

PASSES FORGED CHECKS

Swindler Calling Himself Wilson Victimizes Business Houses.

Several prominent Portland merchants have been victimized during the last week by a forger who has succeeded in passing bogus checks for goods purchased and received change to the extent of \$44.35. The fellow, who has given the name of Wilson, has uttered three checks for \$20.00 each, in the name of three different firms. At the store of I. Gevurtz & Sons Wilson purchased a stove valued at \$8. for which he paid with a check for \$20.00. He then received the balance in cash. He gave a fictitious address. He then went to the store of Robinson & Company and purchased a pair of clothes valued at \$18 and again received change for a \$20.00 check. From the Northwest Gun Company Wilson secured a shotgun valued at \$8 and the change from a check for the amount passed on the other firms. To all the checks he had forged the name of John J. Richardson.

The matter has been reported to the police.

PERSONAL MENTION.

Dr. T. C. Avery, Mayor of Stevenson, Wash., is in Portland purchasing supplies for the Stevenson sanitarium.

Mr. and Mrs. D. C. Rogers, prominent residents of Portland, returned from their trip East. They have been absent for several months.

Mr. and Mrs. R. V. Roby, of Moscow, Idaho, are visiting at the home of Mr. and Mrs. J. F. Thomas, Sellwood. Mr. Roby was formerly engaged in the newspaper business.

Mrs. W. B. Hall, who has been attending her son, Chester Hall, at Baker City, has returned. The young man is now improving from his recent sickness and is now expected to recover.

Joseph Buchtel, the well-known pioneer, has been confined to his home for more than a week with sickness, but yesterday was reported improving.

Thunderer Praises Policy.

LONDON, Dec. 17.—The Times this morning in an editorial highly eulogizes President Roosevelt in regard to the dispatch of the American fleet to the Pacific as a demonstration of his views enunciated in his presidential message, "must command the respect and approbation of Englishmen. We admire the resolution with which he clings to his naval policy not less than the broad wisdom by which it is inspired."

The Times proceeds to confess that the misgivings which it formerly expressed on the inopportune nature of the cruise have been dispelled by Secretary Taft's visit to the Far East and the admirable temper and restraint shown by the Japanese government and people.

THE FORBES PRESBYTERIAN CHURCH.

The Forbes Presbyterian Church, corner of Gantenbein avenue and Sellwood street, Albina, was destroyed by fire yesterday forenoon. The loss is placed at \$10,000, with an insurance of about \$5000. At 10:30 o'clock Patrolman Ellis heard the bell of the church ring twice, but being informed that arrangements were being made for a Christmas social at the church, did not investigate. Later a light was seen in the belfry. From all accounts, the fire appears to have been caused by boys who had entered the building to smoke cigarettes. The flames burst out in the upper part of the church, and soon enveloped the structure. The Fire Department responded quickly, and finding that the church was at the mercy of the flames, devoted its efforts to saving the homes of J. Lind and W. Murphy, adjoining, which were endangered.

Within a few minutes after the firemen arrived the east wall of the church fell, carrying down the trolley wire of the Russell-Shawer system. No firemen were seriously injured, although several were working near the wall at the time. Fireman Thomas Courtney was struck on the head by a timber and stunned, but soon recovered.

Ray Berkdale, the janitor, says there had been no fire in the church since Sunday, and attributes the fire to boys, whom he said had been making a practice of entering the church, but no boys were seen about the building at the time of the fire, which might deprive that theory. The side door had been left open, so there was easy access to the inside of the church. It is not believed that the fire was incendiary, as there was no motive for such an act.

The exact cause may never be known, unless some of the boys who are suspected confess.

Rev. H. H. Pratt is the pastor of the church. The building was completed three years ago. It was founded by W. W. Forbes 25 years ago in Lower Albina. It was later moved to Upper Albina and rebuilt. The destruction of the building is a great loss to the congregation, which was in a prosperous condition. The church owns the quarter block on which the building stood, and it will be rebuilt, perhaps along better and more extensive lines.

As soon as the insurance has been settled the matter of new plans will be taken up.

Plumbers' Wages Cut.

The latest effort to lower the wage schedule of union workmen is reported among the plumbers, who have been notified by the Master Plumbers that on January 1 their wages will be reduced from \$6 to \$5, which is the same those workmen were paid last March before they were granted an increase.

Members of the iron trades unions charge that the managements of the different iron works of the city during the last several weeks have dismissed more than 50 per cent of their workmen for the single purpose of replacing them with non-union men.

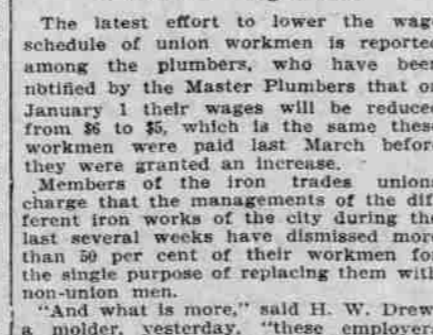
"And what is more," said H. W. Drew, a molder, yesterday, "these employers are advertising for molders when there are fully 100 efficient workmen right here in Portland who have been laid off for the reason that they belong to the union. These men are capable of doing the work, are residents of this city where they have their homes and can furnish all of the references any employer would ask. But they are not given a chance to do this work because they belong to the union, and efforts are now being made to replace them altogether by advertising for 'scabs' from outside points."

The 50 plasterers who went on a strike Monday because their wages had been reduced from \$6 to \$5 a day remained away from work yesterday on all of the buildings for which the master plasterers hold contracts and declare they will not return until the old schedule of wages has been restored.

Interested in Securing an Appropriation from Congress to Purchase the Canal and Locks at Oregon City, and Also Have Introduced Bills for This Purpose.

The fact that the State Legislature appropriated \$300,000 towards their object will be of material help to the Oregon men, for they will need only an equal amount to make up a fund sufficient to take over the artificial waterway, which now collects toll on every vessel passing up and down the Willamette. Whether any appropriation can be secured this session depends entirely upon whether or not there is to be a river and harbor bill. Appropriations of this nature are authorized only in general river and harbor bills, never by special acts of Congress.

The indications are that there will be no river and harbor bill this session, for one was passed last session, and as yet Congress has not adopted the policy advocated in securing an appropriation from Congress to purchase the canal and locks at Oregon City, and also have introduced bills for this purpose.



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The Annual Number

OF

The Oregonian.

January 1, 1908

THE ANNUAL NUMBER OF THE OREGONIAN FOR 1908

The Annual Number of The Oregonian for 1908 will be published on the morning of Wednesday, January 1. This year the annual will be devoted to a larger extent than for a number of years heretofore to special articles dealing with the natural resources and various industries of the entire State of Oregon, though the City of Portland will by no means be neglected. The horticultural interests of the state, especially apple-growing, in which Oregon has made such magnificent progress, will be given much space, and articles written by experts, or under their direction, will tell of what has been done in the various apple-producing sections of Oregon.

As usual, the Portland real estate market for the past year, which has been marked by the heaviest trading and the highest prices in the city's history, will be reviewed in careful manner. The city's building progress in 1907 will also be told in detail.

The bumper wheat crop of 1907 in the Inland Empire, for which Portland is the gateway, will be made the subject of an interesting article, which will also tell of the great growth of Portland's grain exports.

Each of these special articles will be well illustrated with half-tone cuts from photographs made by the leading artists in the state.

Besides these special articles, the Annual will contain much valuable statistical matter, and will be devoted to the North Bank Road, which will be completed by the first of the year, and which will give Oregon and the Pacific Northwest Portland the best.

Each of the several great mining districts of the state will be given more than usual space in the New Year Annual, and lumbering, fishing and others of the important industries that are bringing Oregon to the front as one of the wealthiest states of the West will be handled in like fashion.

A special article of great interest to all readers of The Oregonian will be devoted to the North Bank Road, which will be completed by the first of the year, and which will give Oregon and the Pacific Northwest Portland the best.

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